

Serial No.: 10/551,709
Case No.: MS0035YP
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REMARKS

The Official Action of June 20, 2008, has been carefully reviewed. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

No claims have been amended. The claims under consideration are Claims 1-23.

1. Restriction Requirement

Under 35 U.S.C. 121 and 372, the Examiner required restriction among:

Group I, Claims 1-17 drawn to compounds.

Group II, Claim 18 and 19, drawn to compositions containing an additional active ingredient.

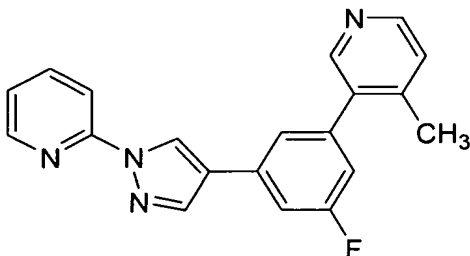
Group III, Claims 20-23 drawn to non-statutory subject matter.

In response to this requirement, the Applicants hereby elect Group I, Claims 1-17 drawn to compounds, without traverse.

The claims reading on this group are Claims 1-17.

Under 35 U.S.C. 121 and 372, the Examiner further requested election of a single species for purposes of the search.

In response to this requirement, Applicants hereby elect the compound of Example 13 (page 60, 1st compound) and Claim 16, page 70, line 16, without traverse:



The elected claims reading on this compound are Claims 1, 3, 7, 11, 16 and 17.

This election is being taken without prejudice to the filing of a divisional application directed to the non-elected subject matter. In accordance with the third sentence of 35 U.S.C. § 121, a patent issuing from the instant application should not be a reference against a divisional application filed before the issuance of such patent.

An Information Disclosure Statement is submitted herewith.

Applicants respectfully contend that the application is allowable and a favorable response from the Examiner is earnestly solicited.

Respectfully submitted,

By 

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